



APPROVED

**BOARD OF ADJUSTMENT
CITY OF SCOTTSDALE
CITY HALL KIVA
3939 NORTH DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA
SEPTEMBER 7, 2005**

STUDY SESSION MINUTES

PRESENT: Terry Kuhstoss, Chairman
Carol Perica, Vice-Chairman
Jennifer Goralski, Board Member
Ernest Jones, Board Member
Howard Myers, Board Member
James Vail, Board Member
Neal Waldman, Board Member

STAFF PRESENT: Tim Curtis
Randy Grant (arrived 5:44 p.m.)
Sherry Scott
Greg Williams

CALL TO ORDER

The study session of the Scottsdale Board of Adjustment was called to order by Chairman Kuhstoss at 5:39 p.m.

ROLL CALL

A formal roll call confirmed the members present as stated above.

1. ADMINISTRATIVE ITEMS

Chairman Kuhstoss noted that the proposed amendment to the rules pertained to changing the rules to state that meetings of the Board will be held on the first Wednesday of the month. Mr. Curtis confirmed that should the Board approve the change it would be effective beginning this date.

Chairman Kuhstoss noted that she would like Board Members to discuss and clarify the Board's position on whether or not to allow any reconsideration of decisions made on cases heard by the Board.

2. **DISCUSSION OF ITEMS ON THE REGULAR AGENDA**

7-BA-2005, (Groman Variance), request for a Variance from Article V. Section 5.034.G.1 regarding wall heights in the front yard on a parcel located at 29695 North 75th Place.

Chairman Kuhstoss asked staff how much land can be enclosed with a 6-foot fence in the side yard. Mr. Williams replied that there is a 15-foot side yard setback, based on ESLO standards. The Applicant is going to release the NAOS in the rear of the yard and move it to the side.

Board Member Vail asked staff for an explanation of the information in the packet indicative that the limitations were created by the original builder and the double frontage situation would have been corrected before final plat approval, had the lot been developed as part of a subdivision.

Mr. Williams replied that when staff evaluates property for subdivisions, they look out for double frontage situations. When these are identified, staff normally calls for the creation of a tract so that the homeowner would be able to use the yard. The lots under consideration were developed under land divisions, which staff has little control over.

Chairman Kuhstoss asked staff if a tract could still be dedicated to remove the double frontage situation. Mr. Williams replied that in order for a tract to be dedicated, there has to be a homeowners association responsible for the maintenance of the tract, because it becomes a common area.

3 **BOARD UPDATE AND DISCUSSION OF CHANGES TO THE CITY ZONING ORDINANCE**

Mr. Curtis advised the Board that there is a proposal for signs in the scenic corridor.

ADJOURNMENT

With no further business to discuss, the study session adjourned at 5:46 p.m.

Respectfully submitted,
A-V Tronics, Inc.